

## REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

### **Status of Claims:**

No claims are currently being cancelled or amended.

Claims 35 and 36 are currently being added.

This amendment and reply adds claims to this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After adding the claims as set forth above, claims 1-5, 7, 8, 13, 15, 17, 18, 20, 21, 23, 24 and 26-36 are now pending in this application.

### **Indication of Allowable Subject Matter:**

Applicants appreciate the indication of allowable subject matter made in the Office Action with respect to claims 5, 27 and 31.

### **Terminal Disclaimer:**

Based on the comment made on page 2 of the Office Action that the previously-filed terminal disclaimer was not signed by attorney or agent acting in a representative capacity as provided by 37 CFR 1.34(a), a terminal disclaimer that has been signed by a patent attorney listed on the Declaration and Power of Attorney form filed in the parent application is included with this amendment and reply.

### **Claim Rejections under U.S.C. § 103(a):**

In the Office Action, claims 1-5, 7, 8, 17, 20, 23, 28, 30, 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lintulampi (U.S. Patent No. 6,377,804) in view of Raith (U.S. Patent No. 6,259,915); claims 13, 15, 18, 21, 24, 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lintulampi and Raith and further in view of Rinne

(U.S. Patent Publication No. 2001/0046863); and claim 29 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lintulampi and Raith and further in view of Burns (U.S. Patent No. 8,200,110). These rejections are traversed for at least the reasons given below.

The Office Action correctly recognizes on page 3 that Lintulampi fails to teach a list of at least a radio link and using the list in the UE. Nonetheless, the Office Action rejects claim 1, by asserting that Raith teaches a list of at least one node and using the list in UE in column 5, line 48 to column 6, line 7 of that reference. Applicants respectfully disagree with this assertion concerning Raith.

Namely, Raith describes, in column 5, lines 48-53, “Having located and turned to a control channel, but while still in the idle operating mode, the mobile station 32 receives a neighbor list from the cellular system via a communications broadcast from the base stations 28 or 30 identifying cell neighbors (i.e., other base stations) that are available for server selection.” (emphasis added)

In addition, Raith describes, in column 6, lines 64-67, “For example, the system can send a list of up to eight frequencies on the BCCH which all idle mobile stations shall measure the signal strength of and report to the base station.”

Accordingly, although Raith describes “a neighbor list”, that neighbor list is quite different from a list of at least one radio link as recited in claim 1.

More specifically, the “list” of Raith is broadcasted to the mobile station 32 while in the idle operating mode (see column 5, line 49, line 50 or column 6, line 65 of Raith). On the other hand, in the present invention as exemplified by presently pending independent claim 1, in “the User Equipment is in communication with a GSM-type network”, the UE receives a list via the GSM-type network. That is, the UE of the present invention is not put into an idle operation mode.

Furthermore, the “list” of Raith is used in order that idle mobile stations measure the signal strength of and report to the base station (see column 6, lines 64-67 of Raith). On the other hand, the list of at least one radio link recited in claim 1 is used to switch communications with the UE from the GSM-type network to the UMTS network. Accordingly, the list of the present invention and the list of Raith are quite different from each other in use and in the purpose.

Accordingly, Raith neither discloses nor teaches that the mobile station receives a list of at least one radio link during communications. Therefore, Raith neither discloses nor teaches “a list of at least a radio link” and “in the UE, using the list to switch communications with the UE from the GSM-type network to the UMTS network”, as explicitly recited in claim 1.

Accordingly, independent claim 1, as well as the other independent claims 7, 8, 17, 20 and 23 that recite similar features to those discussed above with respect to claim 1, patentably distinguish over the cited art of record (since none of the other cited art of record rectifies the above-mentioned deficiencies of Raith).

All of the dependent claims 2-5, 13, 15, 18, 21, 24 and 26-34 are allowable due to their respective dependence on one of the independent claims listed above, as well as for the specific features recited in those dependent claims.

**New Claims:**

New claims 35 and 36 have been added, in which the “list” of Raith is broadcasted to the mobile station 32 while in the idle operating mode (see column 5, line 49, line 50 or column 6, line 65 of Raith), which is clearly different from claims 35 and 36 in which the list is received by the mobile station while in a normal operating mode.

**Conclusion:**

All of the issues raised in the Office Action have been addressed in this Amendment and Reply. Thus, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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